IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16778 of 2004

Between:

1 Smt. Rajeswari, D/o. Venkataiah Vivekananda Vidyam, Head Master, R/o. Palem, Mahaboobnagar District.
2 Narasimha Reddy,S/o. Chinna Reddy, Dayananda Vidya Mandir, Head Master Brahman Vadi, Mahaboobnagar District.
3 Vivekananda Vignana Mandir, rep. by its Secretry Correspondent, K. Krupa Chary S/o. K. Ambanna (Late), Killaghanapur, Village & Mandal, Mahaboobnagar District.
4 Vivekananda Vidya Mandiram, rep. by its Secretary Correspondent, Bhimaiah Goud S/o. D. Goud, Damaragidda, Village & Mandal, Mahaboobnagar District.
5 Lidiya Memorial Model School, rep. by its Secretary Correspondent, B.D.Vijaya Prakash S/o. B.S.David, Jadcharla, Mahaboobnagar District.

..... PETITIONERS

AND

1 The Government of A.P., rep. by its Secretary, Education Dept., Secretariat, Hyderabad.
2 The Government of A.P., rep. by its Secretary Finance (ESE) Dept., Secretariat, Hyderabad.
3 The Commissioner & Director, School Education, A.P., Saifabad, Hyderabad.
4 District Educational Officer, Mahaboobnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not admitting the 1st petitioner 5 posts, 2nd petitioner 5 posts, 3rd petitioner 5 posts, 4th petitioner 5 posts and 5th petitioner 14 posts into grant in aid as per the recommendations of the High Level committee on par with other similarly situated persons were admitted into grant in aid as illegal arbitrary, discriminatory and violate of Article 14, 21 of the Constitution of India and consequently direct the respondents to release the entire arrears of salaries attached to the posts of 1st petitioner 5, 2nd petitioner 5, 3rd petitioner 5, 4th petitioner 5, 5th petitioner 14 posts including all benefits.

Counsel for the Petitioners: MR.S.GIRIMOJI RAO

Counsel for the Respondent Nos. 1,3 and 4: GP FOR SCHOOL EDUCATION

Counsel for the Respondent No. 2: G.P for Finance and Planning.

The Court at the stage of admission made the following :

ORDER

First petitioner filed an affidavit contending that a High-level Committee constituted vide G.O. Rt. No. 220 Education (SSE) Department, dated 24.02.1988 recommended to the first respondent-Government in Letter RC No. 1452/D2-1/94, dated 28.10.1994 to admit certain posts in Grant-in-aid as per G.O. Ms. No. 238, dated 27.5.1986 and it is pending with the first respondent since then. The Petitioners contend that they are also similarly situated with that of the other schools in respect of which the recommendations were made.

The main grievance of the petitioners is that the first respondent is not passing any orders on the recommendation made by the High-level Committee and unless the first respondent passes appropriate orders on the recommendations of the High-level Committee, so much hardship will be caused to them. Therefore, they approached this Court through this writ petition seeking a direction to the first respondent to consider the recommendations of the High-level Committee and to pass appropriate orders.

Heard the learned counsel on both sides.

Having regard to the facts and circumstances of the case, the first respondent is directed to pass appropriate orders on the recommendations made by the High-level Committee dated 28.10.1994, keeping in view of the administrative convenience and financial viability, within three months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs.

Kvsn 17-09-2004

To

1 The Secretary, Education Department, Government of A.P.,
Secretariat, Hyderabad.
2 The Secretary, Finance (ESE) Department, Government of A.P.,
Secretariat, Hyderabad.
3 The Commissioner & Director, School Education, A.P., Saifabad, Hyderabad.
4 District Educational Officer, Mahaboobnagar District.

5 The G P for Education, High Court buildings, Hyderabad.

6 The G p for Finance & Planning, High Court buildings, Hyderabad.

7 Two C D copies.